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JUN 29 2004

Date: June 29, 2004

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From:	Barbara J. Luther	602.420.5102	602.230.5502
Re:	Application No.: 09/647,841		

Message:

OFFICIAL

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No. of Pages (Including Cover): <u>5</u>	Job Code: _____
Client - Matter No.: <u>112624.00020</u>	Time Keeper: <u>BLUTHER</u>
Recipient: <u>United States Patent and Trademark Office</u>	Return To: <u>Paula Huffman</u>
Requestor Name: _____	Phone No.: _____

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PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/647,841

Filing Date October 5, 2000

First Named Inventor Winicov, Ilga

Group Art Unit 1638

Examiner Name Baum, Stuart F.

Total Number of Pages in This Submission 4

Attorney Docket Number 112624.00020

ENCLOSURES (check all that apply)

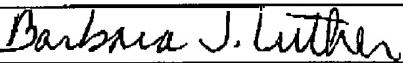
Fee Transmittal Form
 Fee Attached
 Amendment / Reply
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Response to Missing Parts/ Incomplete Application
 Response to Missing Parts under 37 CFR 1.52 or 1.53

Assignment Papers (for an Application)
 Drawing(s)
 Licensing-related Papers
 Petition
 Petition to Convert to a Provisional Application
 Power of Attorney, Revocation Change of Correspondence Address
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After Allowance Communication to Group
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s) (please identify below):

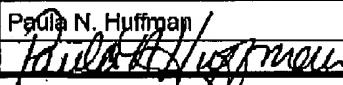
Remarks
Petition to Expedite Revival of Abandoned Application

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Barbara J. Luther, Reg. No. 33,954	
Signature		
Date	June 29, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Paula N. Huffman	Date	June 29, 2004
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (10-03)

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

Application Number	09/647,841
Filing Date	October 5, 2000
First Named Inventor	Winicov, Ilga
Examiner Name	Baum, Stuart F.
Art Unit	1638
Attorney Docket No.	112624.00020

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	17-0055
Deposit Account Name	Quarles & Brady LLP

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee			
1002 340	2002 170	Design filing fee			
1003 530	2003 285	Plant filing fee			
1004 770	2004 385	Rcissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$ 0.00)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20*	=	0.00
Independent Claims	-3**	=	0.00
Multiple Dependent			

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20			
1201 66	2201 43	Independent claims in excess of 3			
1203 290	2203 145	Multiple dependent claim, if not paid			
1204 66	2204 43	** Reissue independent claims over original patent			
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2) (\$ 0.00)					

*or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath			
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month			
1252 420	2252 210	Extension for reply within second month			
1253 950	2253 475	Extension for reply within third month			
1254 1,480	2254 740	Extension for reply within fourth month			
1255 2,010	2255 1,005	Extension for reply within fifth month			
1401 330	2401 165	Notice of Appeal			
1402 330	2402 165	Filing a brief in support of an appeal			
1403 290	2403 145	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,330	2453 665	Petition to revive - unintentional			
1501 1,330	2501 665	Utility issue fee (or reissue)			
1502 480	2502 240	Design issue fee			
1503 640	2503 320	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1806 180	1806 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))			
1801 770	2801 385	Request for Continued Examination (RCE)			
1802 900	1802 900	Request for expedited examination of a design application			
Other fee (specify) 1460 - Petition to Expedite					130.00
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$ 130.00)					

(Complete if applicable)

Name (Print/Type)	Barbara J. Luther	Registration No. (Attorney/Agent)	33,954	Telephone	602-230-5502
Signature	Barbara J. Luther			Date	June 29, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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SN: 09/647,841
Response to Office Action

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JUN 29 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ilga Winicov
 Serial No.: 09/647,841
 Filed: October 5, 2000
 For: *EXPRESSION OF ALFIN 1 AND METHODS FOR PRODUCING
TRANSGENIC PLANTS HAVING INCREASED ROOT GROWTH AND
ROOT SPECIFIC GENE ACTIVATION*
 Group Art Unit: 1638
 Examiner: Baum, Stuart F.
 Attorney Docket: 112624.00020

PETITION TO EXPEDITE REVIVAL OF ABANDONED APPLICATION

Mailstop Petitions
 Commissioner for Patents
 U.S. Patent and Trademark Office
 Alexandria, VA 22313

Dear Sir or Madam:

In a follow-up to the Petition to Revive filed on June 10, 2004, Applicant hereby petitions for an expedited review of the revival of the application. The above-captioned patent application was inadvertently abandoned after the Office Action was mailed to a deceased patent attorney and was never forwarded to the undersigned attorney. As soon as the Applicant became aware of the missing office action and received the Notice of Abandonment, the Applicant took immediate steps to revive the application. Expedited handling is also requested based on the fact that 1) the assignee has negotiated a license with another to develop the invention, and 2) the potential licensee will not sign the license nor pay the assignee the license fee until the application has been revived. Therefore, any delay in granting the petition to revive is a hardship for the assignee. Applicant hereby respectfully requests that the petition to revive be expedited.

SN: 09647,841
Response to Office Action

A fee for the petition for expedited handling is being paid herewith. The Commissioner is hereby authorized to charge any additional fees that may be due in connection with this filing to Deposit Account No. 17-0055.

Respectfully submitted,
QUARLES & BRADY STREICH LANG, LLP

Dated: June 29, 2004

By: Barbara J. Luther
Barbara J. Luther, Reg. No. 33,954

Attorney Docket No. 112624.00018
Address all correspondence to:
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Phoenix, AZ 85004
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